

#14

PTO/SB/61 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</b>		<b>Docket Number (Optional)</b> <u>SAA-25</u>
First Named Inventor: <u>LINDNER, et al</u>	Art Unit: <u>2154</u>	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>JAN 29 2004</b>
Application Number <u>09/454,566</u>	Examiner <u>LIN, KENNY S</u>	
Filed: <u>DECEMBER 7, 1999</u>		
Title: <u>METHOD FOR ADAPTING A COMPUTER-TO-COMPUTER COMMUNICATIONS PROTOCOL FOR USE IN AN INDUSTRIAL CONTROL SYSTEM</u> Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450		
NOTE: If information or assistance is needed in completing this form please contact Petitions Information at (703) 305-9382.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained		
<b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b> NOTE: A grantable petition requires the following items: (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay		
1. Petition fee <input type="checkbox"/> Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27 <input checked="" type="checkbox"/> Other than small entity - fee \$ <u>110.00</u> (37 CFR 1.17(l))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of _____ (identify the type of reply): <input type="checkbox"/> has been filed previously on _____ <input type="checkbox"/> is enclosed herewith. B. The issue fee of \$ <u>1300.00</u> <input checked="" type="checkbox"/> has been filed previously on <u>NOVEMBER 20, 2003</u> <input type="checkbox"/> is enclosed herewith.		

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/61 (11-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

## 3. Terminal disclaimer with disclaimer fee


☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 29, 2004  
Date

  
Signature

978-975-9789  
Telephone Number

RICHARD A. BAKER, JR.  
Typed or printed name

SQUARE D Co.

48,124  
Registration Number, if applicable

1415 South Ruselle Road  
Address

PARADISE, IL 60067  
Address

Enclosure ☒ Fee Payment - fee transmitted

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unavoidable delay

☒ COPY of Postcard Stamped by USPTO, fee transmitted from Nov 20, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9308.

29 January 2004  
Date

  
Signature

RICHARD A. BAKER, JR.  
Typed or printed name of person signing certificate

PTO/SB/61 (11-03)

Approved for use through 07/31/2006, OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

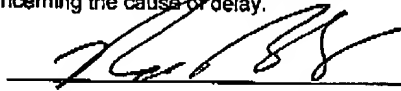
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

January 29, 2004

Date



Signature

48,124

Registration Number if applicable

RICHARD A. BAKER, JR

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

THE ISSUE FEE FOR THE PRESENT APPLICATION WAS  
TIMELY FILED WITH THE USPTO ON NOVEMBER 20, 2003  
AND WAS ACKNOWLEDGED BY THE USPTO IN A RETURNED

POSTCARD DATED NOVEMBER 24, 2003, AS EVIDENCED WITH THE  
ATTACHED DOCUMENTS.

THEREFORE, APPLICANTS CONTENTS THAT THE ISSUE FEE  
FOR THIS APPLICATION WAS TIMELY FILED AND THEREFORE THE  
NOTICE OF ABANDONMENT IS IMPROPER. Applicant requests  
that the present application be promptly issued as a  
US Patent.

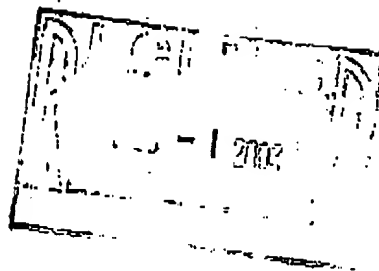
(Please attach additional sheets if additional space is needed.)

[Page 3 of 3]

Jan. 29. 2004 4:47PM

SQUARE D LEGAL

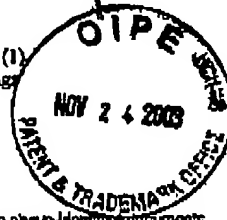
No. 3550 P. 4



<b>Applicants:</b>	LINDNER et al.	<b>Docket No.</b>	SAA-25
		<b>Date:</b>	November 20, 2003
<b>Serial No.</b>	09/454,566	<b>Attorney Ref.</b>	MJP/kp
<b>Filed:</b>	December 7, 1999	<b>Conf. No.</b>	3884
<b>Examiner:</b>	LIN, Kenny S.	<b>Group Art Unit:</b>	2154

**Title:** METHOD FOR ADAPTING A COMPUTER-TO-COMPUTER  
COMMUNICATION PROTOCOL FOR USE IN AN  
INDUSTRIAL CONTROL SYSTEM

**Enclosed:** Issue Fee Transmittal with authorization to charge fee, one (1)  
page, in duplicate; three (3) sheets of Formal Inked Drawings  
comprising FIG.'s 1-4, together with this postcard.



The date stamp of the U.S. PTO person acknowledges receipt on the date indicated thereby, of the above-identified documents.  
CPD-39

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
**Commissioner for Patents**  
**Alexandria, Virginia 22313-1450**  
**or Fax** (703) 746-4000

**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Not Legibly mark-up with any correspondence in Block 1)

23569 7590 08/20/2003

**SQUARE D COMPANY**  
**INTELLECTUAL PROPERTY DEPARTMENT**  
**1415 SOUTH ROSELLE ROAD**  
**PALATINE, IL 60067**

**Note:** A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmittal.

## Certificate of Mailing or Transmittal

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

**Karen Pyka** (Depositor's name)  
*Karen Pyka* (Signature)  
**November 20, 2003** (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,566	12/07/1999	DAVID T. LINDNER	SAA-25 (122.161)	3884
TITLE OF INVENTION: METHOD FOR ADAPTING A COMPUTER-TO-COMPUTER COMMUNICATION PROTOCOL FOR USE IN AN INDUSTRIAL CONTROL SYSTEM				

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	11/20/2003
EXAMINER	ART UNIT	CLASS-SUBCLASS			
LIN, KENNY S	2154	700-009000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Michael J. Fernal  
 2. Larry I. Golden  
 3. \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.  
 (A) NAME OF ASSIGNEE  
 (B) RESIDENCE (CITY and STATE OR COUNTRY)

**SCHNEIDER AUTOMATION INC.**

**North Andover, MASSACHUSETTS**

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☐ Publication Fee  
☐ Advance Order - # of Copies 0

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card, Form PTO-2038 is attached.

☒ The Director is hereby authorized by check the required fee(s), or credit any overpayment to a Deposit Account Number 3875 (SAA-25) (enclose an extra copy of this form) 3875 (SAA-25)

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Larry I. Golden (Date) 11/20/03

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**  
 SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 110**Complete if Known**

Application Number	09/454566
Filing Date	December 7, 1999
First Named Inventor	LINDNER
Examiner Name	LIN, Kenny S
Art Unit	2154
Attorney Docket No.	SAA-25

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:
 Deposit Account Number  
19-3875  
Deposit Account Name  
SQUARE D

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>				<b>(\$)</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>				<b>(\$)</b>	

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	110
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 110**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Richard Baker	Registration No. (Attorney/Agent)	48,124	Telephone	978-975-9789
Signature		Date	29 January 2004		

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